

Message Text

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ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 /026 R

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P - MR. HABIB
S/S - MR. SEBASTIAN
-----271647Z 069862 /42
O 271624Z JAN 77 ZFF4
FM SECSTATE WASHDC
TO AMEMBASSY SANTIAGO NIACT IMMEDIATE

C O N F I D E N T I A L STATE 018565

STADIS////////////////////////////////////
EXDIS-FOR THE AMB. FROM ACTING ASSIST. SEC. LUERS

E.O. 11652: GDS

TAGS: OVIP (LAVIN, JAIME)

SUBJECT: JAIME LAVIN

REF: SANTIAGO 0755

1. COUNTRY OFFICER DRISCOLL HAS RETURNED FROM HIS MEET-
ING WITH LAVIN IN LOS ANGELES. LAVIN IS NOT NOW INCLINED
TO LEAVE OF HIS OWN VOLITION. HE WISHES TO CONTINUE HIS

PROGRAM AND BELIEVES THAT HIS DEPARTURE WOULD BE AN AD-
MISSION OF GUILT. WE HAVE STRONG INDICATIONS FROM CON-
GRESS, VOLUNTARY ORGANIZATIONS AND THE PRESS THAT THIS
ISSUE, IF NOT DEALT WITH SOON, COULD BECOME A SIGNIFICANT
PUBLIC AND POLITICAL PROBLEM. WE HAVE EXAMINED THE ALLE-
GATIONS AND BELIEVE THEY ARE SUFFICIENTLY DAMAGING TO
RAISE SERIOUS QUESTIONS DESPITE LAVIN'S STRONG
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DENIALS OF THEM.

2. THEREFORE, YOU ARE INSTRUCTED TO MAKE THE FOLLOWIN;
APPROACH TO THE FOREIGN MINISTER OR AT THE LEVEL YOU DEEM
APPROPRIATE.

--AS THE GOVERNMENT OF CHILE IS AWARE, THE ALLEGA-

TIONS AGAINST LAVIN ARE LIKELY TO RESULT IN A DAMAGING PUBLIC CAMPAIGN IN THE UNITED STATES.

--WITHOUT EXPRESSING ANY JUDGMENT AS TO THE ACCURACY OF THE ALLEGATIONS, AND RECOGNIZING THAT HE STRONGLY DENIES THEM, NEVERTHELESS, WE HAVE DETERMINED THAT IT IS IN THE MUTUAL INTEREST OF THE UNITED STATES AND CHILE THAT LAVIN DEPART THE UNITED STATES WITHOUT DELAY.

--WE APPRECIATE THAT IT WAS THE DEPARTMENT OF STATE WHICH ORIGINALLY INVITED LAVIN TO BE OUR GUEST, HOWEVER, WE BELIEVE THAT THIS ACTION HAS BECOME NECESSARY. THEREFORE, WE REQUEST THE GOVERNMENT OF CHILE TO ARRANGE FOR MR. LAVIN'S DEPARTURE AT THIS TIME.

--FYI: SHOULD THE GOVERNMENT OF CHILE REFUSE TO HAVE LAVIN DEPART FOR CHILE IMMEDIATELY, YOU WILL HAVE TO INFORM THEM THAT IT WILL BE NECESSARY FOR US TO WITHDRAW PERMISSION FOR LAVIN TO REMAIN IN THE UNITED STATES. END FYI.

3. THIS WAS A DIFFICULT DECISION AND IF YOU HAVE ANY SUGGESTIONS AS TO HOW TO ACCOMPLISH THIS TASK QUICKLY AND WITH LESS DAMAGE TO CHILEAN RELATIONS, PLEASE PROVIDE ME YOUR SUGGESTIONS BY RETURN IMMEDIATE MAIL. OTHERWISE, YOU ARE TO MAKE THIS DEMARCHE AS SOON AS POSSIBLE.

4. THE HANDLING OF THIS ISSUE WITH THE PRESS WILL BE MOST DIFFICULT. WE SUGGEST THAT THE BEST APPROACH IS, CONFIDENTIAL

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FIRST, TO REFUSE TO ADDRESS THE TRUTH OR FALSEHOOD OF THE ALLEGATIONS. SECOND, IF THE GOC CONCURS, TO INDICATE THAT THE GOVERNMENT OF THE UNITED STATES AND THE GOC AGREED THAT IT WOULD BE IN THE BEST INTERESTS OF BOTH COUNTRIES IF LAVIN DEPARTED THE UNITED STATES WITHOUT DELAY. IF THE GOC DOES NOT AGREE TO THIS COURSE OF ACTION, AS APPEARS LIKELY, WE WILL HAVE TO SAY THAT WE HAVE ASKED LAVIN TO CUT SHORT HIS VISIT TO THE UNITED STATES. WE WILL ADD IN THIS LATTER CASE THAT THIS REQUEST IN NO WAY IMPLIES THAT WE ARE ACCEPTING AS TRUE THE ALLEGATIONS AGAINST HIM. WE WOULD STILL REFUSE TO ENGAGE IN A DISCUSSION OF THE ALLEGATIONS.

5. FYI: LAVIN DENIED CATEGORICALLY MIRANDA PINTO'S ALLEGATIONS TO DRISCOLL. HE ADMITS TO BEING A "GOOD FRIEND" OF MIRANDA PINTO FOR MANY YEARS. HE CONFIRMS THAT HE WAS STATIONED AT THE AIR WAR COLLEGE DURING THE PERIOD IMMEDIATELY AFTER THE COUP. HE WAS THE "SECRETARIO" OF THE FACH TRIAL TRIBUNAL. BUT HE STATES THAT HE SAW MIRANDA PINTO

ONLY ONCE DURING THOSE WEEKS, WHEN HE WAS BROUGHT IN TO BE ACCUSED BY THE TRIBUNAL. HE SAYS HE DID NOT ATTEND THE TRIAL SESSIONS, BUT RATHER PERFORMED THE FUNCTIONS OF THE CLERK OF THE COURT. HE SAID THAT HE DID NOT UNDERSTAND MIRANDA'S MOTIVES BECAUSE HE HAD WORKED VERY HARD TO GET MIRANDA OUT OF CHILE, AND MIRANDA KNEW IT. HE EVEN ADMITTED THAT "COSAS DESAGRADABLES" HAD GONE ON AT THE AIR WAR ACADEMY DURING THOSE WEEKS, BUT HE CATEGORICALLY DENIED THAT HE HAD TAKEN ANY PART IN ANY KIND OF PRISONER INTERROGATION.

6. WE TALKED TO AMNESTY INTERNATIONAL THIS AFTERNOON (THE WASHINGTON OFFICE). THEY ARE CONVINCED OF THE ACCURACY OF THEIR FACTS. THEY HAVE TWO LISTS OF TORTURERS -- BOTH OF WHICH HAVE BEEN CHECKED WITH LONDON -- WHICH NAME LAVIN. THEY ALSO HAVE TWO WITNESSES -- MIRANDA PINTO AND ONE OTHER WHO THEY SAY THEY CANNOT IDENTIFY -- WHO STATE
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THAT LAVIN WAS ONE OF THEIR TORTURERS. THE WITNESSES MADE THEIR STATEMENTS AND AMNESTY PREPARED THE LISTS LONG BEFORE LAVIN CAME TO THE US. THUS, IT IS VERY DIFFICULT TO ASCRIBE ANY ULTERIOR MOTIVES. AMNESTY IS LOOKING FOR OTHER WITNESSES AND IT IS PREPARING A PRESS STATEMENT ACCUSING LAVIN OF BEING A TORTURER.

7. THE FOREGOING, HIS CLOSE ASSOCIATION WITH THE AIR WAR COLLEGE DURING THE PERIOD WHEN IT WAS BEING USED AS A CENTER FOR TORTURE, FOLLOWING THE PERIOD OF THE COUP AND HIS ASSOCIATION WITH THE FACH TRIALS, COMBINE TO MAKE A PERSUASIVE CASE TO THE PUBLIC.
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